IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.R.No. 4513 of 2006

Date of decision : 27.10.2006.

Pritam Singh S/o Shri Rakha Ram

.....Petitioner.

Versus

Pritam Singh S/o Shri Bachan Singh

.....Respondent.

CORAM : HON'BLE MR. JUSTICE VINOD K. SHARMA

Present : None.

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VINOD K. SHARMA,J.(ORAL)

The present revision petition has been filed against the order dated 25.8.2006 passed by learned Civil Judge (Jr. Divn.), Khanna vide which the evidence of the defendant -petitioner has been closed by order.

The learned trial Court took note of the fact that the petitioner had made a statement in the Court that in case he failed to lead his evidence, his evidence be treated as automatically closed. It was contended by the petitioner that the statement made by his counsel was not disclosed to him and, therefore, he had to change the counsel.

However, without going into the merits of the case, I feel that interest of justice would be served if the petitioner is granted one opportunity to lead his entire evidence on payment of costs. Accordingly,

the present revision is allowed. The impugned order is set aside and the petitioner is granted one last opportunity to lead his entire evidence on payment of Rs. 5000/- as costs.

October 27,2006 **(VINOD K. SHARMA)**
'sp' **JUDGE**